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10/005,379	12/04/2001	Andrew Thomas	B-4412 619362-3	7011

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EXAMINER

ALBERTALLI, BRIAN LOUIS

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,379

Applicant(s)

THOMAS, ANDREW

Examiner

Brian L. Albertalli

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-14,18,19,22-36 and 40-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,9-14,18,19,22-36,40 and 41 is/are rejected.
- 7) ☒ Claim(s) 7,8,42 and 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/24/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments to the claims have been entered. Claims 1, 5, 7, 8, 14, 18, 22, 23, 33, and 34 are currently amended, claims 2-4, 15-17, 20-21, and 37-39 are cancelled, and new claims 40-43 have been added.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 14 (see page 12, Rejection of claims 1 and 14 section of applicant's arguments) have been considered but are moot in view of the new ground(s) of rejection.

Specification

3. The amendments to the specification overcome the rejections made in the previous office action. The objections to the specification are withdrawn.

Claim Objections

4. The amendments to the claims overcome the objections made in the previous office action. The objections to the claims are withdrawn.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 5, 6, 9-11, 13, 14, 18, 19, 22-24, 26-36, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gagnon (U.S. Patent 6,049,835), in view of Berstis (U.S. Patent 6,718,015).

In regard to claims 1, 5, 6, 13, 14, 18, 19, 26, 33, 34, 40, and 41 Gagnon discloses a method and corresponding apparatuses for accessing a network-connected content site (website) comprising:

an input arrangement for receiving a character sequence comprising two groups of characters, one of which is a site code (jump code) intended to be translated to a content-site URI by a remote service system (Fig. 1, JumpCity website 108 accepts a jump code from a user and converts the jump code to a corresponding URL, column 5, lines 61-65 and lines 45-49) and the other of which comprises the address of the service system (the user accesses the JumpCity website by entering the URL of the website, column 5, lines 34-44);

a detection arrangement for detecting said two groups of characters in the character sequence with the detection of said other group being taken as indicating that the site code formed by one group is to be sent to the service system for translation (the user enters the URL of the JumpCity website that will translate the input jump code to the corresponding URL, column 5, lines 34-49; entering the JumpCity website necessarily indicates that the jump code will be translated at that website);

a service-system accessing arrangement for sending the site code to the service system at its address indicated by said other group of characters, receiving back the corresponding content-site URI, and using it to access the content-site (the corresponding URL of the website is returned to link the user to the website, column 5, lines 45-49 and column 7, lines 6-10); and

a content-site accessing arrangement for using the content-site URI received from the service system to access the content site (web browser column 5, line 28).

Gagnon does not disclose that the character sequence is input through a sound-sequence signal representing a sound sequence with sound features that encode a character sequence according to a predetermined scheme.

Berstis discloses a method of accessing websites through a telephone device that allows a user to navigate the Internet by entering character sequences through sound-sequence signals. A user enters a character sequence (both full URLs and URL identifiers, column 4, lines 41-43) through the touch-tone keypads, which are received and decoded by a DTMF tone detector (column 4, lines 7-9 and column 6, lines 29-31), according to a predetermined scheme (see table in columns 6 and 7).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Gagnon to allow users to access the site code translations services taught by Gagnon through a conventional telephone, and without the need for any specialized access equipment or internet account, as taught by Berstis (column 6, lines 20-23).

In regard to claims 9 and 22, Gagnon does not disclose sound features are decoded into corresponding sound codewords which are then mapped to characters.

Berstis discloses sound features are decoded into corresponding sound codewords which are then mapped to characters (the DTMF tone detector detects the telephone keypad codes, column 4, lines 7-9; which are then converted to character codes according to the table in columns 6 and 7, column 4, lines 41-52; see Keypad entries and their corresponding Action entries).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Gagnon to decode sound features into sound codewords which are then mapped to characters, so that the user could enter characters using the standard 12-key telephone keypad.

In regard to claims 10 and 23, Gagnon does not disclose the sound features comprise one of:

- fixed-frequency tones or tone combinations;
- occurrence of maximum sound output power in predetermined frequency bands;
- changes in output frequency;
- different modulation frequencies of one or more tones.

Berstis discloses the tones are DTMF tones, which comprise:

- fixed-frequency tones or tone combinations (DTMF tones are a combination of two sine wave tones);

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occurrence of maximum sound output power in predetermined frequency bands (the two bands that correspond with the two sine wave tones of the DTMF signal); and changes in output frequency (eight different frequencies are used to generate DTMF tones).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Gagnon to use sound features comprising fixed-frequency tones or tone combinations, occurrence of maximum sound output power in predetermined frequency bands, or changes in output frequency, so that the standard DTMF tones of a telephone could be used to enter characters.

In regard to claim 11 and 24, Gagnon does not disclose the apparatus is a voice browser.

Berstis discloses a voice browser (the telephone server allows the user access the internet through a standard telephone, column 3, lines 15-16).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Gagnon to carry out the steps of the method by a voice browser, so the user could access the services taught by Gagnon through a conventional telephone, and without the need for any specialized access equipment or internet account, as taught by Berstis (column 6, lines 20-23).

In regard to claims 27, 30, and 36, Gagnon does not disclose a microphone for receiving the sound sequence and providing a corresponding sound sequence signal.

Berstis discloses the user may enter a voice input (which is necessarily entered through a microphone) that is used as a sound sequence signal to decode character sequence according to a predetermined scheme (user enters a spoken input which is decoded with the table of column 6 to column 7, see also column 6, lines 29-31).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Berstis to include a microphone to enter the sound sequence signal, so the user would be able to simply speak the sound sequence and not have to use the telephone keypad.

In regard to claims 28, 29, 31, 32 and 35, Gagnon discloses the apparatus is end user equipment where the service system is connected to the Internet (user accesses the service through the Internet through their own equipment, column 5, lines 34-36).

7. Claims 12 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gagnon, in view of Berstis, and further in view of Osaku et al. (U.S. Patent 6,061,738).

Neither Gagnon nor Berstis disclose the use of a cache.

Osaku et al. discloses a cache (Fig. 7, correspondence relations cache 134) for caching previously-determined correspondences between site codes and site URIs, the third means being operative, in response to the presence of a site code in the received sound sequence, to check the cache and only send the site code to the service system where the cache does not hold a site-code to URI correspondence for that site code (if

the correspondence relation between the simplified network address and the corresponding URL is found in the local cache 134, it is used to form the network address command, column 9, lines 29-32; if the relation is not found in the local cache 134, the network accessible database 136 is used, column 9, lines 40-44).

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify the combination of Gagnon and Berstis to include a cache for storing the correspondence of the site code to the URI, so requests for recently used site codes could be resolved at the end user device, thereby reducing the response time for converting the site code to the corresponding URI.

Allowable Subject Matter

8. Claims 7, 8, 42 and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The only prior art of record that suggests encoding the characters sequences as a sequence of sounds of a musical character (Osaku et al., used in previous rejection) has been convincingly demonstrated by the applicant to teach away from *entering the address of a remote service system where the translation of a site code to a URI will be performed* through series of tones with a musical character.

Therefore, there would be no suggestion to one of ordinary skill in the art at the time of invention to encode a character sequence representing the address of a remote service system where a site code is to be translated to a corresponding URI with tones of a musical character.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pradhan et al. (U.S. Patent 6,724,868) disclose a system for navigating the Internet using tones. Saylor et al. (U.S. Patent 6,501,832) discloses a system of registering and using site codes (Vcodes) for accessing content from a telephone.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DAVID L. OMETZ
PRIMARY EXAMINER